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Subject: FYI -- 9/19/13: E & E Daily --WHITE HOUSE: House GOP wants answers on Obama aide's role in Pavillion

FYI – From today's Environment & Energy Daily . . .

WHITE HOUSE: House GOP wants answers on Obama aide's role in Pavillion

Mike Soraghan, E&E reporter

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House Republicans are demanding more information from the White House about its involvement in U.S. EPA's now-defunct water contamination investigation in Pavillion, Wyo.

Two Science, Space and Technology subcommittee chairmen say a report in *EnergyWire* raises concerns that the White House may have politicized the agency's inquiry into whether hydraulic fracturing contaminated groundwater in the small central Wyoming community (*EnergyWire*, Sept. 11).

So, they've written to Heather Zichal, President Obama's top aide on energy and climate change, demanding detailed records of her involvement in the case.

"The apparent extensive involvement of your office and EPA leadership in this draft, non-peer reviewed study of two monitoring wells in Wyoming is highly unusual," said the [letter](#) signed by **Reps. Cynthia Lummis (R-Wyo.) and Chris Stewart (R-Utah)**. "The administration's reported decision to withhold 'dozens' of emails related to this involvement only exacerbate concerns that EPA's fracking investigations have become politicized."

Attempts to get comments from White House officials were unsuccessful, but they have previously said Zichal's involvement was nothing out of the ordinary.

Documents show that Zichal, deputy assistant to the president for energy and climate change, monitored and managed developments behind the scenes as EPA prepared to release its findings that fracking had contaminated groundwater in Pavillion.

Officials in EPA's Denver-based Region 8 started the investigation in 2008, taking samples from 42 homes.

EPA's 2011 draft report was the first documentation of water contamination from fracturing. Industry had long held that there had never been a documented instance of such contamination, and the EPA report stood to puncture that talking point.

The agency abandoned the Pavillion investigation earlier this summer with little explanation (*EnergyWire*, June 21), handing it back to state officials. It was EPA's third retreat from a drilling contamination

investigation during the Obama administration, joining methane migration cases in Texas and Pennsylvania.

EPA says it stands by its results in Pavillion but will not rely on them in the future.

Emails obtained by *EnergyWire* through the Freedom of Information Act show Zichal got briefings from top EPA officials as they prepared to release the report, was informed the afternoon before the report was rolled out in December 2011 and sought to manage the fallout when it came under criticism.

The FOIA documents also show Zichal emailed with then-EPA Administrator Lisa Jackson on the Pavillion investigation. Jackson herself showed considerable interest in the case, sending nearly 100 emails involving Pavillion between November 2010 and April 2011, including a few from her personal email account. Many of those were withheld from the response to *EnergyWire*'s FOIA request.

Zichal's involvement has also worried environmental groups like the Natural Resources Defense Council, but they have a different concern. They believe the investigation was properly undertaken by career scientists at EPA. But they're suspicious that the Obama administration scuttled it because the president doesn't want to appear to be anti-drilling.

The letter, dated Monday, set a deadline of Sept. 26 for the White House to reply.